Department of Agriculture, Environment and Rural Affairs
www.daera-ni.gov.uk

Department of Agriculture, Environment & Rural Affairs
Marine & Fisheries Division

LICENCE ISSUED UNDER THE MARINE AND COASTAL ACCESS ACT 2009, PART 4, MARINE LICENSING

MARINE SEA DISPOSAL LICENCE

Licence to dispose of dredged material from Kilkeel inner harbour to sea

Licence Number: ML2026016

PART 1 – PARTICULARS

1. Licensee(s) Name & Address:

Northern Ireland Fishery Harbour Authority
3 St Patrick Avenue
Downpatrick
Co. Down
BT30 6DW

2. Name and Address of Producer of Dredged Material

Kilkeel Inner Harbour

3. Names, and operators, of the vessels to be employed to undertake or support the deposit operation:

Company/Contractor: Northern Ireland Fishery Harbour Authority
Vessel: the MD Kilmourne

4. Description of works and method of disposal:

Hopper dredger with bottom door discharge

5. Nature and quantity of all material to be deposited below Mean High Water Springs:

Quantity for disposal within period 23rd June 2026 and 22nd June 2029:

Up to 24,999 metric tonnes.

6. Location of disposal site:

Within a 0.5-mile radius of the following coordinates:

-54º 01.5'N, 05º 55.5'W - located approximately 5.5 km from Kilkeel harbour.

See Appendix A for map.

7. Valid:

From: 23rd June 2026
Until: 22nd June 2029

To Note: Subject to validated sediment analysis undertaken within 3 years under OSPAR guidelines, as referred to in Condition 7.

8. Licence Documentation

- Marine Licence Application Form – deposit of dredged material (dated 02/03/2026, updated copy submitted to the Department 05/05/2026)
- Kilkeel Inner Harbour Dredging - Habitats Regulations Assessment (dated February 2026)
- Kilkeel Inner Harbour – Best Practicable Environmental Option (BPEO) Report (dated 19/02/2026)
- Dredge Management Plan – Kilkeel Inner Harbour (dated 19/02/2026)
- Kilkeel Inner Harbour Dredge Map (dated November 2025)
- Kilkeel Harbour Sea Disposal Location Map (dated April 2025)
- Kilkeel Inner Harbour Dredging Programme – Sediment Sampling and Laboratory Analyses (dated 31/01/2026)

PART 2 - CONDITIONS

The Department of Agriculture, Environment & Rural Affairs (referred to as the licensing authority) authorise **Northern Ireland Fishery Harbour Authority** to carry out the loading for disposal from Northern Ireland ports and sea disposal of the material described in Part One of this licence in accordance with the following conditions:

Licence Condition(s):

NOTE: FAILURE TO COMPLY WITH THE BELOW LICENCE CONDITIONS MAY RESULT IN ENFORCEMENT ACTION BEING TAKEN

Prior to the commencement of the licensed activity

1. All conditions of this licence bind any persons whom, for the time being, owns, occupies or enjoys any use of the works for which this licence has been granted, in relation to those licensed activities authorised under Section 66 of the 2009 Act, whether or not the licence has been transferred to that person.

2. The Licensee(s) must commence works with **12 months** of the date of this licence.

3. The Licensee(s) must not carry out any licensable activity other than that detailed in the Marine Licence application documents received by the licensing authority and deemed complete on **28th April 2026.** The Licensee(s) shall contact the Department at MLComplianceandEnforcement@daera-ni.gov.uk if it is proposed to vary the materials or methods to be used from those described in the documentation supplied in connection with the Marine Licence application.

4. The Licensee(s) must receive written authorisation from the licensing authority to assign or transfer the consent. The licensing authority must confirm in writing to both the original Licensee(s) and any proposed new Licensee(s) that the licence has been transferred/assigned before any works may commence under the new Licensee(s).

5. The Licensee(s) must ensure that the Department is informed of any contractor appointed to carry out part or all of the works by email to MLComplianceandEnforcement@daera-ni.gov.uk **no less** than 7 working days before the commencement of the licensed activity. The licence holder must ensure that a copy of this licence and any subsequent revisions or amendments has been provided to, read and understood by any agents, contractors or sub-contractors that will carry on any licensed activity authorised by this licence on behalf of the licence holder.

6. The Licensee(s) must ensure invasive species biosecurity measures are in place for all stages of the works and for all equipment used. A copy of the biosecurity plan should be submitted to Marine.Wildlife@daera-ni.gov.uk for approval at least **4 weeks** prior to works commencing. MLComplianceandEnforcement@daera-ni.gov.uk must be copied in on the correspondence.

   Reason: To prevent the introduction and minimise the spread of marine invasive Non-Native Species.

7. To ensure the validity of this licence the licensee(s) must submit sediment analysis data at least **60 days** before the expiration date of the current data set which expires on **16th December 2028**. The Licensee(s) must ensure that valid sediment analysis data is supplied to MLComplianceandEnforcement@daera-ni.gov.uk and approved by the Department prior to any sea disposal.

   Reason: To ensure that the material is suitable for sea disposal in compliance with OSPAR Guidelines for the Management of Dredged Material.

8. The Licensee(s) must ensure that dredging and disposal operations may only commence once the sampling, as detailed in Condition 7, has been undertaken and that the licencing authority has confirmed in writing that it is satisfied that the material should not be precluded from dredging and disposal activities at the designated sites.

   Reason: To ensure that the material is suitable for sea disposal in compliance with OSPAR Guidelines for the Management of Dredged Material.

9. The Licensee(s) shall prepare and submit a Beach Nourishment Feasibility Report to the Department by no later than **28th February 2027**. This report shall include, but not be limited to, the following:

   a. identification of one, or more, potential receiving beaches within the same sediment cell as Kilkeel Harbour;
   b. full assessment of the environmental, geomorphological, operational, and logistical considerations relevant to disposal;
   c. engagement with the Department, appropriate councils, and relevant stakeholders;
   d. identification of any further assessments, monitoring, or permissions required to enable implementation of a disposal regime which supports beach nourishment;
   e. a proposed timescale for adoption of beach nourishment or strategic nearshore recharge.

   The completed report should be submitted to MLComplianceandEnforcement@DAERA-ni.gov.uk.

   Reason: To ensure beneficial reuse of dredged material is considered to support coastal resilience.

10. The Licensee(s) must confirm in writing to the licensing authority via MLComplianceandEnforcement@daera-ni.gov.uk that the disposal vessel(s) has position fixing capability within a +/- 20m range no less than 24 hours before the commencement of the licensed activity.

    Reason: To ensure material is deposited within the appropriate disposal area.

11. Recordable position fixing equipment must be used to ensure disposal within a 0.5 nautical mile radius of the stated disposal site, (Kilkeel Disposal Site), as referred to in Part 1 Section 6, of this licence.

    Reason: To ensure material is deposited within the appropriate disposal area.

12. The Licensee(s) must, prior to works commencing, survey the seabed of the disposal site before disposal operations in additional to a reference site. The survey must include photography/video of the benthos and grab sample. This survey information should be provided in a report format (including still images) to MLComplianceandEnforcement@daera-ni.gov.uk within **8 weeks** upon completion of each sea disposal campaign (as per Condition 26).

Reason: To monitor the disposal site over the course of the licenced activity to ensure material is deposited within the appropriate disposal area.

13. The Licensee(s) must notify The Source Data Receipt team, UK Hydrographic Office, Taunton. Somerset, TA1 2DN (Email: sdr@ukho.gov.uk ; Tel: 01823 337900) at least **4 weeks** before commencement of the works, to allow for any necessary amendments to nautical charts. The UK Hydrographic Office must also be notified upon completion of the works. MLComplianceandEnforcement@daera-ni.gov.uk must be copied into all notifications.

    Reason: To adhere to Maritime Safety Legislation and to protect human health and marine users.

14. The Licensee(s) must identify all Marine Users to be notified and inform the Licensing Authority MLComplianceandEnforcement@daera-ni.gov.uk to agree a list at least **15 working days** prior to the commencement of work.

    Reason: To ensure all relevant local marine users are made aware of the proposed works.

15. The Licensee(s) must then issue local notification to agreed marine users – including fishermen's organisations a minimum of **7 working days** prior to commencement of work. MLComplianceandEnforcement@daera-ni.gov.uk must be copied in on the notification.

    Reason: To make local marine users aware of the proposed works.

16. The Licensee(s) must notify HM Coastguard's National Maritime Operations Centre (NMOC) at Zone33@hmcg.gov.uk prior to the commencement of licensed activities.

    Reason: To ensure HM Coastguard has the necessary information to maintain maritime safety during the works.

During the licensed activity

17. The Licensee(s) are required to dispose of materials at the Disposal Area(s) stated at Part 1 Section 6 (Kilkeel Disposal Site) of this licence. If in the case of 'force majeure' (stress of weather or any other cause threatening the safety of human life or the vessel) dredged material is deposited in any other area, full details of the circumstances should be notified to the licensing authority in writing within 24 hrs.

    Reason: To ensure appropriate mitigation if material is deposited outside the appropriate disposal area.

18. The dredging operators must have operational and active AIS vessel tracking during all operations.

    Reason: To ensure material is deposited within the appropriate disposal area.

19. The Licensee(s) must confirm to the licensing authority, by way of a report and supporting map, the area specifically dredged to produce the disposal material to MLComplianceandEnforcement@daera-ni.gov.uk within **8 weeks** upon completion of each sea disposal campaign.

    Reason: To ensure only suitable material is taken for sea disposal in compliance with OSPAR Guidelines for the Management of Dredged Material.

20. The Licensee(s) must ensure that turbidity within the works area of Kilkeel Inner Harbour is measured in real time during dredge disposal operations, by installation of two mooring instruments, as close as practically possible to the site of dredging during the campaign. Measurement results should be provided to MLComplianceandEnforcement@daera-ni.gov.uk.

Reason: To ensure good water quality within the works area is maintained during works.

21. The Licensee(s) must ensure that a log of all the disposal operations is kept and be made available on request by the Department.

    Reason: To ensure material is deposited within the appropriate disposal area.

22. In the event of a discovery of an archaeological object and/or remains during the works the licensee(s) must: (1) record the position and details of the site; (2) cease work and (3) report your discovery to and contact MLComplianceandEnforcement@daera-ni.gov.uk immediately so further advice may be sought.

    Reason: To ensure that historic monuments and archaeological objects are protected.

23. In the event of a discovery of wreck material during the works, the Licensee must report it to the 'Receiver of Wreck' (Maritime and Coastguard Agency) within 28 days. The licensee(s) must: (1) record the position and details of the site; (2) cease work and (3) report your discovery to and contact MLComplianceandEnforcement@daera-ni.gov.uk immediately so further advice may be sought.

    Reason: To ensure that recovered wreck material is declared and dealt with appropriately.

24. The Licensee(s) must provide, to the licensing authority, MLComplianceandEnforcement@daera-ni.gov.uk a monthly spreadsheet which should include the quantities of material disposed at sea and also timed and dated track plots of position and time for each disposal run from the dredge site to the disposal site.

    Reason: To ensure the quantity referred to in Part 1 Section 5 of this licence is not exceeded during the lifetime of the licence.

Upon completion of the licensed activity

25. The Licensee(s) must ensure that vessel log details (attached as an Annex to this licence) should be completed **within one week** after the end of each month of dredging and disposal operation.

    a. The Licensee(s) may decide to use their own vessel log template with prior written agreement of the licensing authority.
    b. The vessel log should be accompanied by timed and dated tracked plots indicating the route taken, to and from, each disposal event in addition to the position and time for each disposal.
    c. If Licensee(s) cannot provide track plots they must reach agreement with the licensing authority on a suitable method of recording and reporting the position and time for each disposal prior to disposal commencing.

    Reason: To ensure material is deposited within the appropriate disposal area.

26. The Licensee(s) must, following completion of the works, survey the seabed of the disposal site after disposal operations in addition to a reference site. The survey must include photography/video of the benthos and grab sample. This survey information should be provided in a report format (including still images) to MLComplianceandEnforcement@daera-ni.gov.uk within **8 weeks** upon completion of each sea disposal campaign (as per Condition 12).

    Reason: To ensure material is deposited within the appropriate disposal area

27. The Licensee(s) must inform MLComplianceandEnforcement@daera-ni.gov.uk of the finishing date of the work within **28 days** of completion.

28. Certified returns to be submitted to MLComplianceandEnforcement@daera-ni.gov.uk by:
    1. end of January 2027 for disposal between 23rd June 2026 to December 2026,
    2. end of January 2028 for disposal between January 2027 to December 2027,
    3. end of January 2029 for disposal between January 2028 to December 2028,
    4. end of January 2030 for disposal between January 2029 and 22nd June 2029.

Signed on behalf of the Department:

[redacted]

Dated: 23/06/2026

NOTE:

(1) The licensing authority would advise that this licence does not negate the licensees' responsibility to gain any other environmental or access permissions that may be required to progress the works.

(2) Under Part 4, Chapter 1, paragraph 72 of the **Marine and Coastal Access Act 2009,** the licensing authority may revoke, vary or suspend this licence if it appears to the authority that the holder is in breach of a condition included in it, or if it appears to the authority that the licence ought to be varied, suspended or revoked because of a change of circumstances relating to the marine environment or human health, including a change in scientific knowledge. A revocation, variation or suspension may also be enforced in the interests of safety of navigation.

(3) A person who deposits material in contravention of the terms of a licence is guilty of an offence under Section 85 of the Act. It is a defence under paragraph 86 (1) for a person charged with such an offence to prove 'force majeure'. However they are also required to prove that they took steps within a reasonable time to inform the licensing authority of all details pertaining to the incident contained in paragraph 86 (2). The licensing authority shall be obliged to report force majeure cases immediately to the OSPAR Commission.

(4) Attention is drawn to the necessity of complying where appropriate with the **Radioactive Substances Act 1960**, the **Prevention of Oil Pollution Act 1971** and to the **Merchant Shipping (Dangerous Goods) (Amendment) Rules 1968.**

(5) If within 28 days of the issue of a licence the person to whom it was issued requests the licensing authority to give him notice in writing of the reasons for the inclusion of any provision in it, the Authority shall comply with his request within 28 days of receiving it.

(6) Anyone who fails to comply with a condition on a Marine Licence commits an offence under Section 85 of the **Marine and Coastal Access Act 2009** and may be subject to enforcement action. Possible enforcement actions are compliance notices, remediation notices, fixed monetary penalties and variable monetary penalties. In the worst cases, a person found guilty of an offence on summary conviction may be subject to a fine not exceeding £50,000. In addition, a person found guilty of an offence on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both. Further details can be found at our guidance note
https://www.daera-ni.gov.uk/sites/default/files/publications/doe/marine-licensing-guidance-enforcement-under-part-4-marine-and-coastal-access-act%2C-2009-may-2016.pdf

INFORMATIVES:

Maritime & Coastguard Agency advice on navigational safety

- The Licencee(s) should consider adopting the Port Marine Safety Code (PMSC), which sets out a national standard for every aspect of port marine safety. The Code is not mandatory; however it is endorsed by the UK Government, devolved administrations and representatives from across the marine industry sector. It is applicable to both Statutory Harbour Authorities (SHA) and non-SHAs including marinas, terminals, marine berths and jetties. The Department for Transport also publishes the PMSC Guide to Good Practice which provides useful information and detailed guidance on the safe management of these facilities and is intended to supplement the Code. This can be found here: https://www.gov.uk/government/publications/a-guide-to-good-practice-on-port-marine-operations"

DAERA advice on preventing water pollution

- The Licensee(s) should comply with all the relevant NIEA Standing Advice documents and Guidance for Pollution Prevention available at:
- https://www.daera-ni.gov.uk/publications/standing-advice-development-may-have-effect-water-environment-including-groundwater-and-fisheries
- Guidance for Pollution Prevention (GPPs) documents can be obtained at: http://www.netregs.org.uk/library_of_topics/pollution_prevention_guides/all_ppgs.aspx
- The contractor / person carrying out the works is responsible for ensuring that any and all required mitigation measures are in place and ultimately under the **Water (Northern Ireland) Order 1999** is liable for any discharge or deposit, whether knowingly or otherwise, of any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata.
- The Licensee(s) should be aware that it is an offence under the **Water (Northern Ireland) Order 1999** to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three years imprisonment.
- Any contaminated material should be transported by a licensed waste carrier, and all relevant waste authorisations should be obtained for the treatment and disposal of any contaminated material. The Licensee(s) should refer and adhere to DAERA Standing Advice on Pollution Prevention Guidance and Discharges to the Water Environment (available at the link above).
- All equipment and plant should be maintained in good working order to minimise the risk of water pollution from hydrocarbons and/or hydraulic fluids.
- Bunding and/or storage facilities should be installed to contain and prevent the release of fuel, oils, and chemicals associated with plant, refueling and construction equipment, into the marine environment.
- Any fueling required should only occur at a non-hydrologically linked location using a buffer of at least 10m to reduce the likelihood of accidental spills entering the marine environment.

DAERA advice on marine conservation

- The Licensee(s) should ensure that they adhere to DAERA Pollution Standing Advice and DAERA Standing advice for development that may have an effect on the water environment (including groundwater and fisheries) to prevent adverse impacts to Marine Protected Areas, Habitats and Species, as required under the **Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended)**, **The Environment Order (Northern Ireland) 2002** and the **Wildlife and Natural Environment Act (Northern Ireland) 2011**.
- The Licensee(s) should adhere to DAERA Marine Wildlife Disturbance Guidance to prevent marine mammal disturbance as required under the **Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended)**, **The Environment Order (Northern Ireland) 2002** and the **Wildlife and Natural Environment Act (Northern Ireland) 2011**.

- The Licensee(s) should adhere to the DAERA Marine Invasive Non-Native Species Guidance and ensure that they follow Check Clean Dry guidance to help reduce the likelihood of the introduction and spread of invasive non-native species as required under the **Wildlife (Northern Ireland) Order 1985 (as amended)**.
- More information on the extent and location of designated and protected marine sites can be found on the DAERA Marine Map Viewer.

DAERA advice on protection of sea fisheries interests

- Given the location of the application there is a risk of pollution being created and entering into the marine environment. Pollution in the marine environment has the potential to cause adverse impacts to both commercial fisheries and aquaculture interests. The applicant must consider the potential for release of pollutants, including suspended solids, to the aquatic environment and where risks are identified adequate and appropriate mitigation measures put in place to minimise potential harm.
- The Licensee(s) is reminded of **Section 47 of the Fisheries Act (NI) 1966**, which covers the Licensee(s) responsibilities relating to penalties for pollution and the consequences of causing or permitting the release of any deleterious material into any waters.
- Northern Ireland as part of the UK is a signatory to the Convention for the Conservation of Salmon in the North Atlantic. This treaty requires signatory states to develop programmes of work to conserve, rationally manage and improve Atlantic salmon populations and their habitats within their jurisdiction. This work is scrutinised by the North Atlantic Salmon Conservation Organisation (NASCO).

DAERA advice of marine litter

- All solid waste and litter encountered or generated during the works should be collected and appropriately disposed of at the end of each working day to prevent it from entering the marine environment and becoming marine litter, following DAERA Marine Litter Standing Advice.

DAERA advice on protection of archaeological objects

- The Licensee(s) attention is drawn to Article 42 of **the Historic Monuments and Archaeological Objects (NI) Order 1995** that requires finders of archaeological objects to report within 14 days to a relevant authority.

DAERA advice on recovery of wreck material

- The Licensee(s) must report any recovered wreck material to the Receiver of Wreck (Maritime and Coastguard Agency) in accordance with the **Merchant Shipping Act 1995**.

Advice on noise disturbance

- It is recommended that works are limited to the hours between 07:00 and 18:00 to help to reduce noise disturbance to neighbouring properties.

Annex A – Map of location of works

